(5)

SINGLE BENCH

(3)

C.A.1001

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. (S) OF 2006

PETITIONER:

R.K. Bhavsar, S/o-Shri Sukhdev Bhavsar, Aged About- 48 Years, Occupation- Service (Sub Engineer Posted at P.M.G.S.Y PIU, Division No.2, Kanker),R/o- C/o- Shri R.K.Thakur, 58, Bajpai Castel Minocha Colony , Mungeli Road, Bilaspur (C.G.)

P.R. No. 3793/06
Presented by Shri Vinay Pandey
dated 21/7/06

VERSUS

RESPONDENT (S):

1. State of Chhattisgarh
Through it's Secretary
Department of Water Resources,
D.K.S. Bhawan Raipur (C.G.)

2. State of Chhattisgarh
Through it's Secretary
Department of Rural Engineering Services, D.K.S. Bhawan Raipur (C.G.)

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3. The Joint Secretary, Department of Panchayat & Rural Development
D.K.S. Bhawan Raipur (C.G.)

4. Executive Engineer,
P.M.G.S.Y PIU, Division No.2,
Kanker

5. Executive Engineer, Mongra Project
Water Resources Division
Dongargaon , Disstt. Rajnandgaon
(C.G.)

OATH COMMISSIONER
APARNA MALVIYA
CG 3073/96
Bilaspur Chhattisgarh

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS / CERTIORARI ETC. OR DIRECTION / ORDER IN THE LIKE NATURE.

(87)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.3732/ सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

3-8-2006

Mr. Vinay Pandey, counsel for the petitioner.

Mr. G.K. Beriwal, Deputy Advocate General for the State/ respondents, on advance copy.

Heard.

The petitioner's case is that he was working as Sub Engineer, Mongra Project Division, Water Resources Department, Dongargaon, District: Dongargarh and vide order dated 10-2-2006 he was sent on deputation to the Rural Engineering Services Department. In compliance of that order, the petitioner joined in the RES Department. Later on, other Engineers of Water Resources Department had challenged the said order dated 10-2-2006 and the same has been quashed by this Court. Thereafter, the petitioner made a representation to the RES Department stating therein that he do not want to continue in the RES Department, but his representation is not being decided.

Having heard learned counsel for the parties and having perused the petition, the petitioner has already joined in the RES Department in pursuance of the order dated 10-2-2006 and thereafter, that order has been quashed qua the petitioners who filed the petition. That order was quashed on the submission made by the Deputy Advocate General on behalf of the State that the State has framed a new scheme for sending the Engineers of Water Resources Department under the Pradhan Mantri Gram Sadak Yojana (PMGSY) scheme.

Therefore, in the circumstances, as the petitioner has already joined in the RES Department, the respondents while passing the order regarding PMGSY scheme in respect of the Engineers of Water Resources Department should also consider the case of the petitioner, as

P.T.O.

(38)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.3733/ **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	the petitioner belongs to Water Resources Department, therefore, they should pass appropriate order along with the other Engineers in respect of the services of the petitioner. Till then, the petitioner shall continue in the RES Department on the post where he has already joined. With the directions aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.2903/2006 and I.A.No.7152/2006 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	

P.T.O.